



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Atty Lee, Nini, sole practitioner of Merced (for Petitioner Cha Thae Yang, Guardian of the Estate)

**(1) Second and Final Account and Report of Guardian; (2) Petition to Dispense With Notice and Terminate Guardianship, and (3) Petition for Fees to Attorney**

<b>Age: 18 years</b>	<b>CHA THAE YANG</b> , father and Guardian of the Estate, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> Order Settling First Amended [First] Account Current and Report of Guardian, etc., filed 7/16/2009 dispensed with future accountings until guardianship of the estate is terminated.
<b>Cont. from</b>	<b>Account period: 10/1/2008 – 7/31/2013</b>		
<b>Aff.Sub.Wit.</b>	Accounting	- \$26,722.71	
<input checked="" type="checkbox"/> <b>Verified</b>	Beginning POH	- \$25,709.11	
<b>Inventory</b>	Ending POH	- \$24,222.71 (all cash)	
<b>PTC</b>	Guardian	- waives	
<b>Not.Cred.</b>	Attorney	- \$1,250.00	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	(per Local Rule 7.16(B)(4), flat fee for timely filed subsequent account.)		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/O	Costs	- \$435.00 (filing fee)	
<b>Aff.Pub.</b>	<b>Petitioner states:</b>		
<b>Sp.Ntc.</b>	<ul style="list-style-type: none"> <li>The minor, who continues to live with his parents and reached age 18 as of 6/28/2013, was a beneficiary of his uncle's life insurance policy, and the guardianship estate was established to hold the funds in a blocked account; the cash was invested in a 9-month CD, with automatic recurring investments at its expiration;</li> </ul>		
<b>Pers.Serv.</b>	<ul style="list-style-type: none"> <li>The Guardian did not receive bank statements since this was a CD, but duplicate 1099 statements were obtained showing interest payments and the remaining balance as of 8/7/2013; a transaction journal was also obtained (originals attached as Exhibits B and C);</li> </ul>		
<b>Conf. Screen</b>	<ul style="list-style-type: none"> <li>Guardian retained Law Offices of Paul Lo for legal representation, and per Court's order on 7/16/2009, Guardian paid <b>\$2,500.00</b> to Law Offices of Paul Lo;</li> </ul>		
<b>Letters</b>	<ul style="list-style-type: none"> <li>On 6/24/2013, Guardian retained Law Office of Nini Lee for legal representation in this matter;</li> </ul>		
<b>Duties/Supp</b>	<ul style="list-style-type: none"> <li><b>Petitioner requests</b> that notice be dispensed with for the minor's maternal grandmother, who resides in Laos and her address is unknown; Declaration of Due Diligence was filed by Law Office of Paul Lo on 10/16/2007 and a diligent effort was made to locate her without success [Note: Notice of Hearing filed 9/16/2013 shows all other relatives named in the Petition have seen sent notice.]</li> </ul>		
<b>Objections</b>	<ul style="list-style-type: none"> <li><b>Petitioner requests</b> the Court terminate this guardianship estate.</li> </ul>		
<b>Video Receipt</b>			
<b>CI Report</b>			
<input checked="" type="checkbox"/> <b>2620</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 9/20/13
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 1 - Yang</b>

Atty Walters, Jennifer L. (for Petitioner/Conservator Frances Kennedy)

Atty Rindlisbacher, Curtis D. (Court Appointed for Conservatee)

## Third Account Current and Report of Conservator and Petition for Its Settlement

<b>Age: 76 years</b>		<b>FRANCES KENNEDY</b> , Conservator, is petitioner.  Account period: 7/1/2010 – 12/31/2012  Accounting - <b>\$256,412.82</b> Beginning POH- <b>\$152,807.00</b> Ending POH - <b>\$153,815.66</b>  Current bond is \$10,000.00  Conservator - <b>waives</b>  Attorney - <b>to be paid outside of the conservatorship.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 7/23/2013 and 8/27/13. As of 9/23/13 nothing new has been filed and the following issues remain:</b>  1. This conservatorship owes filing fees in the amount of \$355.00 for the filing of the 2 <sup>nd</sup> account (fee waiver was denied).  2. This conservatorship owes court investigations fees totaling \$2,339.00  3. Need Care Facility statements for Camino Alto Residential Club for the period of April 2012 through December 2012 pursuant to Probate Code §2620(c)(5)  4. Receipt schedule includes deposits but does not state the source of the deposits.  5. Petition states the conservatee's home has been rented during this account period. Receipt schedule does not include any rental income.  6. Disbursement schedule does not show any disbursements for the bond premium. Court may require clarification.
<b>Cont. from 061813, 072313, 082713</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>2620(c)</b> X		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>	<b>Reviewed by: KT</b> <b>Reviewed on: 9/23/13</b> <b>Updates:</b> <b>Recommendation:</b> <b>File 2 - Clover</b>	
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

**Note:** If the petition is granted, status hearings will be set as follows:

- **Friday, February 27, 2015** at 9:00 a.m. in Department 303, for the filing of the fourth account.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

Atty Feigel, Sheldon W., sole practitioner (for Petitioner Diane Pickering, Executor)

## (1) First and Final Account and Report of Executor and (2) Request for Attorney's Fees

<b>DOD: 8/29/2008</b>		<b>DIANE PICKERING</b> , friend, Executor and Trustee of the <b>MILDRED PEARL RANCILIO LIVING TRUST</b> , is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
				<p>1. Need Notice of Hearing of the First and Final Account and Report of Executor, and proof of mailed service of 15 days' notice prior to hearing pursuant to Probate Code §§ 11000 and 11601 for the following persons:</p> <ul style="list-style-type: none"> <li>Dennis L. Pickering, friend and beneficiary;</li> <li>Mary Cathy Cooper, cousin of Decedent's husband and beneficiary;</li> <li>David Caron, friend and beneficiary.</li> </ul> <p>2. Pursuant to Probate Code §§ 1250, 1252, 11000, and 11601, need proof of mailed service of 15 days' notice prior to hearing of the Notice of Hearing with a copy of the First and Final Account and Report of Executor for Mary Catherine Cooper, per the Request for Special Notice filed 4/29/2013, which has not been withdrawn.</p> <p>3. Petition requests distribution to the <b>MILDRED PEARL RANCILIO LIVING TRUST</b>. Pursuant to Local Rule 7.12.5, if property in the estate is to be distributed to a pre-existing trust, the current trustee must file a declaration setting forth the name of the trust, its establishment date, and taxpayer identification number, verifying that the trust is in full force and effect, and that the trustee has an executed copy of the trust in possession. Need a declaration of trust to be filed with the Court prior to distribution of the estate.</p>	
<b>Cont. from</b>		<b>Account period: 8/29/2008 – 8/1/2013</b>			
	<b>Aff.Sub.Wit.</b>	Accounting	- \$142,515.08		
✓	<b>Verified</b>	Beginning POH	- \$117,519.17		
✓	<b>Inventory</b>	Ending POH	- \$142,515.08 (all cash)		
✓	<b>PTC</b>	Executor	- waives		
✓	<b>Not.Cred.</b>	Attorney	- \$5,275.45 (statutory)		
	<b>Notice of Hrg</b>	Costs	- \$615.00 (filing fee, publication, certified copies)		
	<b>Aff.Mail</b>	<b>Distribution pursuant to Decedent's Will is to:</b>		<p>Reviewed by: LEG</p> <p>Reviewed on: 9/20/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Rancillio</p>	
	<b>Aff.Pub.</b>	<b>DIANE PICKERING</b> , Trustee of the <b>MILDRED PEARL RANCILIO LIVING TRUST</b>			
	<b>Sp.Ntc.</b>	– entire estate consisting of \$136,624.63 cash.			
	<b>Pers.Serv.</b>				
	<b>Conf. Screen</b>				
	<b>Letters</b>	011309			
	<b>Duties/Supp</b>				
	<b>Objections</b>				
	<b>Video Receipt</b>				
	<b>CI Report</b>				
✓	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
	<b>UCCJEA</b>				
	<b>Citation</b>				
✓	<b>FTB Notice</b>				

Atty Roberts, David A. (for Joan St. Louis – Conservator)  
 Atty Boyett, Deborah K. (Court appointed for Conservatee)  
 Atty Burnside, Leigh (for Wells Fargo Bank, NA)  
 Probate Review Hearing

			<b>JOAN ST. LOUIS</b> is the Successor Conservator of the Person and Estate.  <b>The Court set this Review Hearing</b> due to concerns brought to the Court's attention at the most recent Court Investigator's visit.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Confidential</b>
Aff.Sub.Wit.				
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
			Reviewed by: skc	
			Reviewed on: 9-23-13	
			Updates:	
			Recommendation:	
			File 5 - Bingham	

Atty Dowling, Michael; Burnside, Leigh; Matlak, Steven; of Dowling Aaron (for Petitioner Barbara L. Pearson, Successor Trustee)

Atty Werner, David D., Field, Stefanie; of Gresham Savage Nolan & Tilden, Riverside (for Objector Tracy Spreier, Beneficiary)

## Status Conference

Frank DOD: 8/15/2006	<p><b>BARBARA L. PEARSON</b>, Trustor's daughter, Trust Beneficiary and Successor Trustee of the <b>FRANK H. LABREE IRREVOCABLE TRUST</b>, filed on 10/5/2012 a <i>Petition for Settlement of First Account and Report of Trustee of the Frank H. LaBree Irrevocable Trust</i>, which was set for hearing on 11/29/2012.</p> <p><b>TRACY SPREIER</b>, Trustor's daughter and Trust Beneficiary, filed on 11/16/2012 an <i>Objection to the Petition for Settlement of First Account and Report of Trustee</i>, alleging self-dealing and breach of fiduciary duties by the Trustee.</p> <p><b>Joint Status Report filed by Attorneys for Objector on 8/23/2013 states:</b></p> <ul style="list-style-type: none"> <li>This joint status report is submitted by and through the respective attorneys for Petitioner Barbara Pearson and Objector Tracy Spreier;</li> <li>In response to Ms. Spreier's <i>Objection</i>, Ms. Pearson provided on an informal basis some information to resolve 2 of the 3 issues raised by the <i>Objection</i>;</li> <li>The third issue, apparent self-dealing by the Trustee by modifying the interest rate of two different promissory notes owed to the Trust, remained unresolved until recently;</li> <li>Written discovery in the form of a request for production of documents, requests for admissions, special interrogatories, and form interrogatories, were propounded by Objector to [Ms. Pearson] on 3/6/2013, and timely responses were received;</li> <li>After recent discussions between the parties' attorneys, it appears that the dispute as to the remaining issue can be resolved as a part of the resolution of the other related case before this Court, the LaBree Family Trust, Case 12CEPR00628;</li> <li>While an <i>Objection</i> is also currently pending with regard to the Accounting in the related case, it is expected to be resolved in conjunction with the resolution of this matter.</li> </ul>	NEEDS/PROBLEMS/COMMENTS:
Roberta DOD: 3/25/2012		<u>Page 6B</u> is the <i>Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust</i> .
Cont. from 011813, 032213, 051013, 062813, 083013		<u>Pages 8A and 8B</u> are the related matters in the <i>LaBree Family Trust</i> (12CEPR00628).
Aff.Sub.Wit.		<u>Continued from 8/30/2013</u> . Minute Order states Mr. Werner is appearing via Courtcall. Ms. Burnside advises the Court that they may have an agreement, but it hasn't been reduced to writing. Counsel is directed to file a joint status report before the next hearing [9/26/2013.]
✓ Verified		1. Need joint status report for 9/26/2013 hearing.
Inventory		<b>Reviewed by:</b> LEG
PTC		<b>Reviewed on:</b> 9/20/13
✓ Status Rep		<b>Updates:</b>
Notc of Hrg		<b>Recommendation:</b>
✓ Aff.Mail W /		<b>File 6A - LaBree</b>
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/S		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Atty Dowling, Michael; Burnside, Leigh; Matlak, Steven; of Dowling Aaron (for Petitioner Barbara L. Pearson, Successor Trustee)

Atty Werner, David D., Field, Stefanie; of Gresham Savage Nolan & Tilden, Riverside (for Objector Tracy Spreier, Beneficiary)

**Petition for Settlement of First Account and Report of Trustee of the Frank H. LaBree Irrevocable Trust Dated March 26, 1992 [Cal. Prob. C. 1064(a), 17200, 17200(b)(5), CRC., Rule 7.902]**

Frank DOD: 8/15/2006		<b>BARBARA L. PEARSON</b> , Trustor's daughter, Trust Beneficiary and Successor Trustee of the <b>FRANK H. LABREE IRREVOCABLE TRUST</b> , is Petitioner.	<b>NEEDS/PROBLEMS/ COMMENTS:</b>
Roberta DOD: 3/25/2012			
Cont. from 112912, 011813, 032213, 051013, 062813, 083013		Account period: 10/10/2008 – 12/31/2011	<p><b>Continued from 8/30/2013.</b> Minute Order states Mr. Werner is appearing via Courtcall.</p> <p><b>Note:</b> Additional notes pages originally prepared for this Petition have been omitted.</p>
	Aff.Sub.Wit.	Accounting - <b>\$456,694.10</b>	
✓	Verified	Beginning POH - <b>\$421,894.79</b>	
	Inventory	Ending POH - <b>\$423,435.60</b> (\$334,115.35 is cash)	
	PTC	Trustee (Initial) - <b>\$3,510.00</b> (services prior to 10/10/2008 for initial Trustee, paid to Law Offices of Earl O. Bender)	
	Not.Cred.	Trustee (Current) - <b>\$600.00 (paid)</b>	
✓	Notice of Hrg	Trustee Costs - <b>\$1,379.84 (paid)</b> (reimbursement of 2010 travel expense)	
✓	Aff.Mail <sup>W</sup> / <sub>I</sub>	Attorney - Not requested	
	Aff.Pub.	Accountant - <b>\$615.00 (paid)</b> (to Erickson & Assoc., CPAs, as itemized in Disbursements schedule; Petitioner is employed by Erickson & Assoc.)	
	Sp.Ntc.	<b>Petitioner states:</b>	
	Pers.Serv.	<ul style="list-style-type: none"> <li><b>FRANK H. LABREE, Jr.</b>, created the <b>FRANK H. LABREE IRREVOCABLE TRUST</b> on 3/26/1992, which was funded initially by a life insurance policy on Frank (copy of Trust Agreement attached as Exhibit A);</li> <li>The initial Trustee was <b>EARL O. BENDER</b>, who resigned on 10/9/2008, and Petitioner succeeded as trustee; Petitioner is a resident of Auberry, California;</li> <li>....</li> </ul>	
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order <sup>X</sup>		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<b>Reviewed by:</b> LEG
			<b>Reviewed on:</b> 9/20/13
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 6B – Labree</b>



(1) First and Final Account and Report of Executor and Petition for Settlement, (2) for Allowance of Compensation for Ordinary Services and (3) for Final Distribution [Prob. C. 10400]

<b>DOD: 7/27/2012</b>		<b>ARLEY R. ROBINSON</b> , Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition requests reimbursement to attorney for costs in the amount of \$863.73. Need itemization of costs. – Note: Supplemental Petition filed on 9/5/13 states itemization of costs is attached as “Exhibit A” however there is no “Exhibit A” attached.  2. Disbursement schedule includes payments to Susan McElhinny attorney, professional fees in the sum of \$100.00. California Rules of Court, Rule 7.700 states the personal representative must neither pay, nor receive and the attorney for the personal representative must not receive, statutory compensation or fees for extraordinary services in advance of a court order of the court authorizing their payment. – Supplemental Petition filed on 9/5/13 states this charge was a consultation fee only that Petitioner incurred with regard to the potential of and prior to this probate matter.
		Account period: 7/27/12 – 6/6/13	
<b>Cont. from 080113</b>		Accounting - <b>\$188,880.33</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$177,192.99</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$168,643.40</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Attorney (statutory) - <b>\$6,666.41</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Attorney costs - <b>\$863.73</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Executor - <b>Waives</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/O	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	1/14/2013	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

Atty Dowling, Michael; Burnside, Leigh; Matlak, Steven; of Dowling Aaron (for Petitioner Barbara L. Pearson, Successor Trustee)

Atty Werner, David D., Field, Stefanie; of Gresham Savage Nolan & Tilden, Riverside (for Objector Tracy Spreier, Beneficiary)

## Status Conference

Frank DOD: 8/15/2006		BARBARA L. PEARSON, Trustors' daughter, Trust Beneficiary and Successor Trustee of the <b>LABREE FAMILY TRUST</b> dated 4/13/1981, filed on 10/5/2012 a <b>Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust</b> , which was set for hearing on 11/29/2012.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Page 8B</u> is the <i>Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust</i> .  <u>Pages 6A and 6B</u> are the related matters in the <i>Frank H. LaBree Irrevocable Trust</i> (12CEPR00893.)  <u>Continued from 8/30/2013.</u> Minute Order states Mr. Werner is appearing via Courtcall. Ms. Burnside advises the Court that they may have an agreement, but it hasn't been reduced to writing. Counsel is directed to file a joint status report before the next hearing [9/26/2013.]  1. Need joint status report for 9/26/2013 hearing.
Roberta DOD: 3/25/2012			
Cont. from 011813, 032213, 051013, 062813, 083013		TRACY SPREIER, Trustors' daughter and Trust Beneficiary, filed on 11/16/2012 <b>Objections to the Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust</b> , alleging self-dealing and breach of fiduciary duties by the Trustee.	
Aff.Sub.Wit.			
Verified		<b>Joint Status Report filed by Attorneys for Objector on 8/23/2013 states:</b>	
Inventory			
PTC		<ul style="list-style-type: none"> <li>This joint status report is submitted by and through the respective attorneys for Petitioner Barbara Pearson and Objector Tracy Spreier;</li> <li>In response to Ms. Spreier's <i>Objection</i>, Ms. Pearson provided on an informal basis some information to resolve some of the issues raised by the <i>Objection</i>; several issues remain to be resolved, as follows: (a) whether a certain ring that was owned by the Decedent Roberta LaBree that Ms. Spreier received from Ms. LaBree prior to Ms. LaBree's death, is appropriately included in the accounting, regardless of what its actual value may be; (b) whether Ms. Pearson's payment, from Trust funds, can be included in the accounting (the appraisal was of certain real property that had been gifted by Roberta LaBree to her three daughters in 2010;) (c) Ms. Pearson's failure to state the appraised date of death value for certain real property owned by the Trust; and (d) certain expenses paid from the Trust's funds;</li> </ul>	
Status Rep			
Notice of Hrg		~Please see additional page~	
Aff.Mail	W /		
Aff.Pub.		Reviewed by: LEG	Reviewed on: 9/20/13
Sp.Ntc.			
Pers.Serv.		Updates:	Recommendation:
Conf. Screen			
Letters		File 8A - LaBree	
Duties/S			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

**Joint Status Report filed 8/23/2013, continued:**

- Written discovery in the form of a request for production of documents, requests for admissions, special interrogatories, and form interrogatories, were propounded by Objector to the Petitioner on 3/6/2013, and timely responses were received thereto;
- On 7/26/2013, the deposition of a former caregiver of Decedent, **DONNA PAYNE**, was taken in Bullhead City, Arizona, with regard to her knowledge of various facts, including those relating to the ring;
- Objector will need to conduct ~4 more depositions if the litigation regarding the inclusion of the ring in the Decedent's Trust is to continue;
- No further discovery is needed with regard to the other issues that were in dispute;
- It does not appear at this time, however, that there will be a need to proceed with any further discovery with regard to any aspect of the disputes relating to the accounting, as it appears at the time of the submission of this joint status report that the parties have been able to reach an agreement in principle for the final resolution of the matters at issue;
- It is expected that the parties will be able to provide further details as to the status of the settlement at the time of the hearing;
- While an Objection is also currently pending with regard to the Accounting in the other related case before the Court, The Frank H. LaBree Irrevocable Trust, Case 12CEPR00893, it is also expected to be resolved by the parties in conjunction with the resolution of this matter.

Atty Dowling, Michael; Burnside, Leigh; Matlak, Steven; of Dowling Aaron (for Petitioner Barbara L. Pearson, Successor Trustee)

Atty Werner, David D., Field, Stefanie; of Gresham Savage Nolan & Tilden, Riverside (for Objector Tracy Spreier, Beneficiary)

**Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust; and Approval of Trustee Fees [Cal. Prob. C. 1064(a), 17200, 17200(b)(5), CRC., Rule 7.902]**

Frank DOD: 8/15/2006		<b>BARBARA L. PEARSON</b> , Trustors' daughter, Trust Beneficiary and Successor Trustee of the <b>LABREE FAMILY TRUST</b> , is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Roberta DOD: 3/25/2012			
Cont. from 112912, 011813, 032213, 051013, 062813, 083013		Account period: 3/25/2011 – 2/29/2012	<p><b>Continued from 8/30/2013.</b> Minute Order states Mr. Werner is appearing via Courtcall.</p> <p><b>Note:</b> Additional notes pages originally prepared for this Petition have been omitted.</p>
	Aff.Sub.Wit.	Accounting - <b>\$1,735,662.68</b>	
✓	Verified	Beginning POH - <b>\$1,627,499.40</b>	
	Inventory	Ending POH - <b>\$1,563,236.09</b>	
	PTC	(\$1,899,065.77 is cash; cash balance exceeds ending property on hand balance due to negative \$518,182.00 amount held in constructive trust by Trustee for the benefit of the Frank H. LaBree Exemption Trust.)	
	Not.Cred.	Trustee - <b>\$25,066.50</b>	
✓	Notice of Hrg	(per Declaration filed 11/14/2012 containing itemization for 294.90 hours @ \$85.00/hour. NOTE: Trustee has previously been paid compensation of <b>\$14,302.50</b> (not itemized) from the Trust for this account period without court order per Trust terms entitling Trustee to reasonable compensation for services rendered as Trustee; )	
✓	Aff.Mail	Attorney - <b>\$53,312.30</b> (paid)	
	Aff.Pub.	(to Dowling Aaron & Keeler/Dowling Aaron, as listed in Disbursements schedule; not itemized other than for legal fees)	
	Sp.Ntc.	Accountant - <b>\$1,405.00</b> (paid)	
	Pers.Serv.	(to Erickson & Assoc., CPAs, as itemized in Disbursements schedule; Petitioner is employed by Erickson & Assoc.)	
	Conf. Screen	<b>Petitioner states:</b>	
	Letters	<ul style="list-style-type: none"> <li><b>ROBERTA LABREE</b> and <b>FRANK H. LABREE, Jr.</b>, created the <b>LABREE FAMILY TRUST</b> on 4/13/1981, as amended on 5/2/1984, and as amended in full on 12/20/1991, and were the original co-trustees until Frank's death on 8/15/2006, when Roberta became the sole Trustee, and the Trust served as the Survivor's Trust for Roberta;</li> <li>....</li> </ul>	
	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 9/20/13
			Updates:
			Recommendation:
			File 8B - LaBree

**Petition for Probate of Will and for Letters Testamentary; Authorization to  
Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 04/18/2013</b>		<b>BRENT KENNETH WISE</b> , son/named executor without bond, is petitioner.  Full IAEA – o.k.  Will dated: 04/16/2013  Residence: Fresno Publication: The Business Journal  <b>Estimated value of the Estate:</b> Personal property      \$73,171.55 Real property            \$165,920.33 <b>Total</b> <b>\$239,091.88</b>  Probate Referee: Rick Smith	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>The following issues still remain:</b>  1. Need date of death of decedent's spouse pursuant to Local Rule 7.1.1D.  2. Witnesses of the will did not date their signatures.  3. #3(e)2 of the Petition states that the will was dated 08/23/2004 however the will was dated 04/16/2013.  4. #5b of the petition indicates that the decedent was survived by a stepchild or foster child or children who would have been adopted by decedent however they are not listed on #8 of the petition.  5. Need Duties & Liabilities.  6. Need Confidential Supplement to Duties & Liabilities.  7. Need Order.  8. Need Letters.  <b>Note: If the petition is granted status hearings will be set as follows:</b>  • <b>Friday, 02/28/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b>  • <b>Friday, 12/05/2014 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from 08/29/2013</b>			
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	s/p		
<input checked="" type="checkbox"/> <b>Verified</b>			
<input type="checkbox"/> <b>Inventory</b>			
<input type="checkbox"/> <b>PTC</b>			
<input type="checkbox"/> <b>Not.Cred.</b>			
<input type="checkbox"/> <b>Notice of Hrg</b>	n/a		
<input type="checkbox"/> <b>Aff.Mail</b>	n/a		
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>	x		
<input type="checkbox"/> <b>Duties/Supp</b>	x		
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>			
<input type="checkbox"/> <b>Order</b>	x		
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
<b>Reviewed by: LV</b>			
<b>Reviewed on: 09/23/2013</b>			
<b>Updates:</b>			
<b>Recommendation:</b>			
<b>File 9 – Wise</b>			

Atty Bettencourt, Manuel L., of Henry, Logoluso & Blum (for Petitioner Betty Farmer, mother)  
 Atty Porter, Tres, sole practitioner (for Objector Jeff Hendricks, spouse)  
 Atty Boyett, Deborah (Court-appointed for Conservatee)

**Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C.  
 1820, 1821, 2680-2682)**

<b>Age: 45 years</b>		<b>BETTY FARMER</b> , mother, is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers to administer dementia medications; and as Conservator of the Estate with bond set at <b>\$37,500.00</b> .  <b>Estimated Value of the Estate:</b> Personal property - <b>\$20,000.00</b> Annual income - <b>\$17,500.00</b> <b>Total</b> - <b>\$37,500.00</b> <i>(1/2 interest in real property excluded)</i>  <b>Capacity Declaration of Don Yoshimura, M.D., filed 9/18/2013</b> supports request for dementia powers and medical consent powers.  <b>Capacity Declaration of Michele Russell, Ph.D., filed 9/18/2013</b> supports request for dementia powers; <b>Item 7 re: medical consent powers is incomplete at 7(b) in space for psychologist initials.</b>  <b>Voting Rights Affected.</b>  <b>Petitioner states</b> the proposed Conservatee has been diagnosed with Early Onset Alzheimer's Dementia and Major Depressive Disorder, and she suffers from extreme memory and cognitive impairment, for which she requires medications. Petitioner states as the proposed Conservatee's medical conditions are genetic and expected to worsen, her treating physicians have recommended that her family members assume primary responsibility for her financial and health care risks, and that due to safety issues, the proposed Conservatee should have someone with her at all times; <b>~Please see additional page~</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
			<b>Court Investigator Advised Rights on 9/18/2013.</b>	
<b>Cont. from</b>			<b>Voting Rights Affected – Need Minute Order.</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		1. Bond is required in the sum of <b>\$41,250.00</b> pursuant to Probate Code § 2320 and CA Rule of Court 7.207. (Petitioner's requested amount is insufficient per the Code.) 2. Item 7 of the <i>Capacity Declaration</i> of Michele Russell, Ph.D., filed 9/18/2013, re: medical consent powers is incomplete at 7(b) in the space that must contain the physician's initials. (However, <i>Capacity Declaration</i> of Don Yoshimura, M.D., filed 9/18/2013 suffices as the required physician's declaration pursuant to Probate Code § 1890(c).) 3. Need <i>Video Viewing Certificate</i> pursuant to Local Rule 7.15.9(A).	
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>	<small>Ackn. Rcpt.</small>		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>			
<input checked="" type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>	X		
<input checked="" type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input checked="" type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
		<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 9/23/13 <b>Updates:</b> <b>Recommendation:</b> <b>File 10 – Hendricks</b>		

**Petitioner states, continued:**

- On multiple occasions the proposed Conservatee has sought the assistance of Petitioner for purposes of having Petitioner set up and transport her to medical appointments; Petitioner currently serves as the proposed Conservatee's primary caregiver, and accompanies her on all of her medical appointment to ensure she obtains the necessary and proper medical examinations, treatment and medications;
- Based upon Petitioner's own knowledge and experience in assisting the proposed Conservatee, she requires around the clock assistance with her daily activities in order to protect her health and safety, including bathing (controlling water temperatures), cooking (operating stoves, ovens), and operating other electrical appliances (iron, curling iron);
- The proposed Conservatee is co-owner of real property, and due to her mental and medical conditions she is not capable of performing or understanding the necessary duties as an owner of real property;
- It is in the proposed Conservatee's best interest to allow Petitioner to perform all necessary functions as co-owner of the proposed Conservatee's real property, including but not limited to entering into contracts, commencement of any necessary legal actions, and maintenance and upkeep of said real property;
- Based upon the proposed Conservatee's current mental and medical conditions, the proposed Conservatee is substantially unable to manage her financial resources and resist fraud or undue influence; on multiple occasions the proposed Conservatee has sought the assistance of Petitioner for the purposes of having Petitioner manage her financial accounts and requesting that Petitioner arrange for the payment of proposed Conservatee's bills.

**Petitioner requests** independent powers under Probate Code § 2590 be granted, with specific powers per Probate Code § 2591 as follows, including the reasons for the requests:

- **2591(c)(1) - Power to sell real or personal property without confirmation of the Court, other than personal residence of proposed Conservatee; and 2591(c)(2) - Power to sell at public or private sale the personal residence of the conservatee without confirmation of court of the sale [emphasis added]:** Proposed Conservatee is co-owner of real property, and due to her mental and medical conditions, Petitioner believes the proposed Conservatee may soon require full time assistance for her care and medical treatment, and due to the high costs associated with such care, as well as the requirement to exhaust all resources prior to obtaining governmental assistance, Petitioner believes it may become necessary to sell the property of the proposed Conservatee in order to obtain the necessary care for the proposed Conservatee;
- **2591(d) - Power to create by grant or otherwise easements and servitudes:** same reasons as stated above; sale of the real property may require granting of easement or other servitude;
- **2591(e) - Power to borrow money:** same reasons as stated above; due to high costs associated with care of proposed Conservatee, it may become necessary to obtain liquid funds to pay for such care by utilizing proposed Conservatee's real property as security to obtain loans;
- **2591(f) - Power to give security for the repayment of loan:** same reasons as stated above; due to high costs associated with care of proposed Conservatee, it may become necessary to obtain liquid funds to pay for such care by utilizing proposed Conservatee's real property as security to obtain loans;
- **2591(g) – Power to purchase real or personal property:** same reasons as stated above; proposed Conservatee's limitations and ailments make it evident that sale of her real property will likely be necessary to optimize the proposed Conservatee's care and maintenance; [sic]

**~Please see additional page~**

**Petitioner requests independent powers under Probate Code § 2590, continued:**

- **2591(l) – Power to sell property of the estate on credit if any unpaid portion of the selling price is adequately secured:** Petitioner believes the proposed Conservatee may soon require full time assistance for her care and medical treatment, and due to the high costs associated with such care, as well as the requirement to exhaust all resources prior to obtaining governmental assistance, Petitioner believes it may become necessary to sell the property of the proposed Conservatee in order to obtain the necessary care for the proposed Conservatee;
- **2591(m) – Power to commence and maintain an action for partition:** same reasons as stated above; as the proposed Conservatee is only a co-owner of the real property, it may become necessary to seek a partition of the real property in order to sell the proposed Conservatee's interest;
- **2591(p) – Power to pay, collect, compromise, or otherwise adjust claims, debts or demands upon the conservatorship described in 2501(a), 2502, or 2504, or to arbitrate any dispute described in 2406:** Petitioner is unaware of the number or value of any claims, debts, or demands which may be presented upon the proposed Conservatee seeking payment; due to the proposed Conservatee's mental and medical conditions, Petitioner believes the proposed Conservatee is not in a condition to pay, collect, compromise, or otherwise adjust any such claims, debts or demands without assistance.

**Objection to Petition for Conservatorship of Teresa Hendricks filed by JEFF HENDRICKS, husband, on 9/17/2013 states:**

- He is the husband and [named agent] on Power of Attorney for the proposed Conservatee;
- He and proposed Conservatee were married on 6/11/1988;
- Petitioner, mother of proposed Conservatee, along with the proposed Conservatee's sister, **CHRISTINA RODRIGUEZ**, have been assisting him with the daily care necessary for proposed Conservatee;
- On 6/25/2013, the proposed Conservatee executed an advance Health Care Directive and a Durable General Power of Attorney for Asset Management with the assistance of legal counsel (*copies attached to Declaration of Jeff Hendricks in Support of Objection, attached as Exhibits A and B*);
- In said documents, proposed Conservatee directed that her husband, Jeff Hendricks, act as her agent in all relevant matters in the event she is incapable of giving informed consent;
- In both documents, Jeff Hendricks is listed as the proposed Conservatee's first choice as conservator, followed by their son, **WYATT LANE HENDRICKS**, in the event Jeff is unable to serve;
- Pursuant to Probate Code §§ 1810 and 1812, the Objector should be given preference in order of appointment as conservator in the event that a conservatorship of the person or estate is deemed necessary or proper by the Court;
- Jeff Hendricks has been married to the proposed Conservatee for more than 25 years and is the proposed Conservatee's nominated power of attorney for both financial and medical decisions; further, pursuant to Probate Code § 4126, the proposed Conservatee's nomination in the durable power of attorney should be considered by the Court;
- Further, as detailed in the *Declaration of Jeff Hendricks*, he is more physically capable of taking care of the proposed Conservatee and is much more familiar with the financial needs and dealings of the proposed Conservatee;

**~Please see additional page~**



**Objection to Petition by Jeff Hendricks filed 9/17/2013, continued:**

- Objector concurs that the proposed Conservatee is unable to provide for her own needs; however, with an Advance Health Care Directive and a Durable Power of Attorney currently in place, Jeff Hendricks is capable of assisting the proposed Conservatee, just as he has been doing for the past 25 years;
- Objector readily concedes that Petitioner and proposed Conservatee's sister have assisted Objector and the proposed Conservatee by having the proposed Conservatee spend the workday with them while Objector has gone to work; it is also conceded that the proposed Conservatee's mental awareness and ability has declined at an increased rate over the past couple of months; if these family members are no longer willing to assist with the daily care of the proposed Conservatee, then Objector will make alternate arrangements, but it does **not** [emphasis in original] mean that conservatorship is necessary or justified in this case;
- The instant *Petition* requests authority to sell the jointly owned real property of Objector and proposed Conservatee, so sell jointly owned personal property; to create grants or servitudes, to borrow money; to grant security for loans; to purchase property; to sell property on credit; to commence and maintain an action for partition; and to pay, collect, compromise, or otherwise adjust claims, debts, or demands; these are all powers that the Objector, by virtue of his status as the proposed Conservatee's spouse and by the existence of the Advance Health Care Directive and a Durable General Power of Attorney, currently possesses and is in a superior position to that of the proposed Conservator to perform;
- The instant request for conservatorship of the person and estate is unnecessary; however, if the Court were to believe such conservatorship were to be in the best interest of the proposed Conservatee, then Objector Jeff Hendricks as the party's spouse and by virtue of the writings executed by the proposed Conservatee should have priority and be appointed instead of Petitioner;
- **Objector requests** that this Court deny the instant *Petition*; alternatively, Objector would request that he be allowed to file his own petition for appointment if it is determined by this Court that the best interest of the proposed Conservatee requires that someone be appointed.

**Declaration of Jeff Hendricks in Support of Objection to Petition for Conservatorship of Teresa Hendricks states:**

- The Petitioner is his mother-in-law and mother of proposed Conservatee, and over the course of the last several months, Petitioner and the proposed Conservatee's sister, **CHRISTINA RODRIGUEZ**, have been assisting him with the daily care necessary for his wife ("Terrie"); he agrees that his wife is not currently capable of providing for her own needs;
- Last year, he and Terrie were living and working in Kentucky; after Terrie lost her job, they moved back to California in March of 2012 and Terrie was put on disability;
- He started working again in the summer of 2012, and began taking Terrie to either Petitioner's home or Christina's home for them to watch Terrie while he was at work;
- On 8/9/2013, he dropped Terrie off at Christina's home in the morning; that evening, he had a voice mail from Terrie's brother, **MICHAEL LABRIE**, who informed him that Terrie felt threatened by him and that Terrie was going to stay with him and that they would be filing a restraining order and for divorce;
- Since 8/9/2013, he has not seen or been allowed by Terrie's family to speak directly to Terrie; he has called the Sheriff's Office and personally went to the Sheriff's department, and was informed that Sheriff's deputies had spoken to Terrie on the phone and she was fine;

**~Please see additional page~**

***Declaration of Jeff Hendricks in Support of Objection to Petition for Conservatorship of Teresa Hendricks, continued:***

- He was informed that their son, **WYATT HENDRICKS**, went to see Terrie at Petitioner's home ~1 week ago; upon arriving, Wyatt was told he could not enter the home of Petitioner, his grandmother, and was allowed to speak to Terrie only in the backyard, with Petitioner intently overseeing the conservation from the back door; Wyatt was told by Petitioner's husband not to mention "going home" to Terrie because it would upset her; Terrie told Wyatt she missed him [Jeff] and wanted to come home;
- Terrie receives **~\$1,485.00** per month in disability; it is his belief that Petitioner has instigated the instant conservatorship action solely to obtain control of such funds and to possibly force a sale of our family home;
- While Petitioner, along with Terrie's brother and sister, have been a help to him in caring for Terrie over the last year, his relationship with Terrie's family has been tense for the majority of their marriage;
- If Terrie's family is no longer willing to assist with her daily care, then he will make alternate arrangements, but it does ***not*** *[emphasis in original]* mean that conservatorship is necessary or justified in this case;
- He has loved and cared for Terrie for more than 25 years and will continue to do so to the best of his ability with or without the help of Terrie's mother, brother or sister; it is shocking and disturbing that he is now being accused by her family of threatening or harming her;
- He believes the instant request for conservatorship of the person and estate of Terrie is unnecessary and motivated entirely by greed and animosity towards him on the part of Petitioner;
- However, if the Court were to believe such a conservatorship were to be in the best interest of the proposed Conservatee, then it is his understanding that he as Terrie's husband and by virtue of being nominated in her power of attorney documents should have priority and be appointed ahead of Petitioner; if the Court feels otherwise, then he would ask that either the **PUBLIC GUARDIAN** or their son, **WYATT HENDRICKS**, be appointed ahead of Petitioner;
- In addition to questioning her motives, he has sincere doubts as to whether Petitioner is physically or emotionally capable of taking care of Terrie full time; he believes that her current husband, Terrie's step-father, is disabled and he does not believe Petitioner herself to be in decent physical shape, nor does he believe Petitioner has the patience required to adequately cope with the reality of Terrie's condition;
- For the majority of this past year, he relied primarily upon Terrie's sister, **CHRISTINA RODRIGUEZ**, to watch Terrie while he was working, with Petitioner as an alternate choice; Terrie expressed that she preferred being with Christine as opposed to Petitioner.

**Court Investigator Jo Ann Morris' Report was filed on 9/20/2013.**

**Note:** If petition for conservatorship is granted, Court will set status hearings as follows:

- **Friday, November 1, 2013, at 9:00 a.m. in Dept. 303** for filing proof of bond;
- **Friday, January 31, 2014 at 9:00 a.m. in Dept. 303** for filing of inventory and appraisal; and
- **Friday, November 28, 2013 at 9:00 a.m. in Dept. 303** for filing of first account and/or petition for final distribution.

Petition for Probate for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

<b>DOD: 08/02/2013</b>		<p><b>KAREN HARRISON</b>, daughter is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond and nominate petitioner to administer the estate.</p> <p>Full IAEA- o.k.</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b> Personal property - \$63,060.00</p> <p>Probate Referee: Steven Diebert</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Friday, 02/28/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Friday, 12/05/2014 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 09/23/2013</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b> Submitted</p> <p><b>File 12 - Lane</b></p>	

<b>Age:</b>			<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>CONTINUED TO 11-22-13</b></u>  Per Examiner. Letters have not yet issued to Public Administrator.
<b>DOD:</b>			
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
	<b>Notice of Hrg</b>		
	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc <b>Reviewed on:</b> 9-20-13 <b>Updates:</b> <b>Recommendation:</b> <b>File 13B - Martin</b>

**Status Hearing Re: Filing of Proof of Bond or waivers**

<b>DOD: 1-15-09</b>		<p><b>JOE HOGG</b> was appointed Administrator with Full IAEA without bond at hearing on 5-28-13 <b>subject to</b> the filing of waivers of bond by Jovanna Augman and Demetrius Augman.</p> <p>However, a waiver from heir Demetrius Augmon was never filed and Letters never issued.</p> <p>On 8-30-13, the Court removed Mr. Hogg and appointed the Public Administrator. The Court ordered Mr. Hogg to provide the Public Administrator any documents that may be requested.</p> <p>The Court set this status hearing for a status report from the Public Administrator.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>CONTINUED TO 10-25-13</u></b></p> <p>Per Examiner. Letters issued to Public Administrator on 9-23-13.</p> <p><b>Note:</b> Status hearings were previously set for 10-25-13 for the filing of the I&amp;A and 7-25-14 for filing the account/petition for final distribution.</p>
<b>Cont. from 071913, 083013</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 9-23-13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 14 – Crenshaw</b></p>	

Age: 3 years		<p><b>THERE IS NO TEMPORARY.</b> <b>No temporary was requested.</b></p> <p><b>BERNICE RODRIGUEZ</b>, maternal grandmother, is petitioner.</p> <p>Father: <b>RODNEY NEWHOUSE</b> – Declaration of Due Diligence filed on 7/23/13.</p> <p>Mother: <b>DANA SANCHEZ</b> – consents and waives notice.</p> <p>Paternal grandparents: Unknown. Maternal grandfather: John F. Sanchez – Declaration of Due Diligence filed on 7/23/13.</p> <p><b>Petitioner states</b> the minor has been diagnosed with autism. Petitioner states she has been instrumental in obtaining services for the minor. Mom has been diagnosed with bi-polar and manic depressive. Mom was in a car accident in which she received a head trauma. After the accident, mom becomes aggressive and violent when stressed. This has made it difficult for her to meet the demands of an autistic child.</p> <p><b>Court Investigator Jennifer Daniel's Report filed on 9/13/13.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on:             <ol style="list-style-type: none"> <li>a. Rodney Newhouse (father)</li> <li>- If Court does not dispense with notice. (<b>Note:</b> Declaration of Due Diligence states Mr. Newhouse is homeless, living in a tent under the freeway.)</li> </ol> </li> <li>2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on:             <ol style="list-style-type: none"> <li>a. Paternal grandparents</li> <li>- If Court does not dispense with notice.</li> <li>b. John F. Sanchez (maternal grandfather)</li> <li>- If Court does not dispense with notice.</li> </ol> </li> </ol>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: KT
Reviewed on: 9/23/13
Updates:
Recommendation:
File 16 - Rodriguez

<b>Age: 9 years</b>		<b>KATHRYN L. WALKER</b> , mother, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>REBECCA WILKINS</b> , maternal aunt, was appointed guardian on 10/19/2010. – consents and waives notice.	1. Petition does not state why terminating the guardianship is in the best interest of the minor.
<b>Cont. from</b>		Father: <b>UNKNOWN</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	Paternal grandparents: unknown Maternal grandfather: Deceased. Maternal grandmother: Garnet Wilkins – consents and waives notice.	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>	Petition does not state why terminating the guardianship is in the best interest of the minor.	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	N/A	
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>	<b>Court Investigator Jennifer Daniel's Report filed on 9/10/13</b> states the termination of the guardianship appears appropriate and to be in the minor's best interest. Therefore it is recommended that the petition be <b>granted</b> .	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 9/23/13</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 17 –Watkins</b>

<b>Sterlyn (15)</b>	<b>NO TEMP REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. <b>Need Notice of Hearing.</b>  2. <b>Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing pursuant to Probate Code §1511 on:</b> - Aaron Muller (Father) - Belinda Samons (Mother of Sterlyn and Zoey) - Megan Muller (Mother of Wyatt)  <u><b>Note:</b></u> <i>Petitioners filed Declarations of Due Diligence as to both mothers. Petitioners state the father is in jail and provided a copy of a handwritten letter consenting to guardianship; however, the letter does not waive notice, and Petitioners do not indicate any attempts to have him served.</i>  3. <b>Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing pursuant to Probate Code §1511 on:</b> - Maternal Grandparents of Sterlyn and Zoey (Les Samons and Helen Samons) - Maternal Grandparents of Wyatt (Unknown per Petition)
<b>Zoey (10)</b>	<b>GARY and NINA MULLER</b> , Paternal Grandparents, are Petitioners.	
<b>Wyatt (5)</b>		
	Father: <b>AARON MULLER</b>	
	Mother (Sterlyn and Zoey): <b>BELINDA SAMONS</b> - <i>Declarations of Due Diligence filed 7-23-13</i>	
	Mother (Wyatt): <b>MEGAN MULLER</b> - <i>Declarations of Due Diligence filed 7-23-13</i>	
	Maternal Grandfather (Sterlyn and Zoey): Les Samons	
	Maternal Grandmother (Sterlyn and Zoey): Helen Samons	
	Maternal Grandfather (Wyatt): Maternal Grandmother (Wyatt):	
	Additional sibling (Wyatt): Paetyn Blakely	
	Minor Sterlyn (15) consents and waives notice.	
	<b>Petitioners state</b> the father is in jail again. The mother is a drug addict and is unable to provide a home or anything for the kids and cannot be found.	
	<b>Note:</b> Petitioners had previously filed petitions for temporary and general guardianship of the minors on 7-27-12. Temporary guardianship was granted on 8-9-12, to expire 9-27-12. However, there were no appearances at the hearing on 9-27-12 and the general petition was denied.	
	Petitioners' Declaration filed 8-21-13 explains that at the time, they made the decision to allow the children to move with the parents (Aaron and Megan) to Spokane, Washington to start a new life away from all the bad associates and stresses here. Petitioners state they seemed to be in pretty good shape and the kids really wanted to go, so they allowed them to move and did not pursue guardianship. However, the kids were returned to them in March 2013 and CPS is now recommending that they pursue guardianship. Attached is a TDM Summary Report dated 7-18-13.	
	<b>Court Investigator Dina Calvillo filed a report on 9-18-13.</b>	
<b>Aff.Sub.Wit.</b>		
✓ <b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	X	
<b>Aff.Mail</b>	X	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>	X	
✓ <b>Conf. Screen</b>		
✓ <b>Letters</b>		
✓ <b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
✓ <b>CI Report</b>		
✓ <b>Clearances</b>		
✓ <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
✓ <b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

Reviewed by: skc

Reviewed on: 9-23-13

Updates:

Recommendation:

File 18 - Muller



**19 Thaddeus C. Best (Estate)**  
**Atty Erlach, Mara M. (for Administrator Katrina Best Kendall)**  
**Atty Best, Yvette R. (pro per Petitioner)**

**Case No. 12CEPR00841**

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>Continued to 10/30/13</u></b> at the request of Petitioner.</p> <p><b>Note:</b> Katrina Best Kendall was appointed as Administrator of the estate on 11/26/12. Petitioner Yvette Best is now filing a Petition to be appointed as Administrator however there is no vacancy.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 9/23/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 19 - Best</b></p>

Age: 17 years		<p><b>THERE IS NO TEMPORARY.</b> <b>No Temporary was requested.</b></p> <p><b>CELIA ESPINO</b>, mother, is petitioner.</p> <p>Father: <b>NOT LISTED.</b></p> <p>Paternal grandparents: Not listed. Maternal grandparents: Not listed.</p> <p>Estimated value of the estate: \$0</p> <p>Petition does not state why a guardianship of the estate is necessary.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Petition does not state why a guardianship of the estate is necessary.</li> <li>Petition states the estimated value of the estate is \$0. -Need estimated value of the estate.</li> <li>Petition does not address bond or blocked account.</li> <li>Petition does not indicate whether or not the minor has Native American Ancestry at #1c of the Child Information Attachment.</li> <li>Petition does not list the names and addresses of the father, paternal grandparents and maternal grandparents.</li> <li>#8 of the Child Information Attachment is blank re: Indian child inquiry.</li> <li>Need Notice of Hearing</li> <li>Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on:               <ol style="list-style-type: none"> <li>Father</li> </ol> </li> <li>Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on:               <ol style="list-style-type: none"> <li>Paternal grandparents</li> <li>Maternal grandparents</li> </ol> </li> </ol>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

<b>Reviewed by: KT</b>
<b>Reviewed on: 9/23/13</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 21 -Ibarra</b>

## Petition for Appointment of Guardian of the Estate (Prob. C. 1510)

Age: 16 years		<b>THERE IS NO TEMPORARY.</b> No Temporary was requested.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition does not state why a guardianship of the estate is necessary. 2. Petition states the estimated value of the estate is \$0. –Need estimated value of the estate. 3. Petition does not address bond or blocked account. 4. Petition does not indicate whether or not the minor is a member of a Indian tribe at 1c(1) of the Child Information Attachment. 5. Petition states the minor is an Indian child at #1c(2) of the Child Information Attachment therefore need <i>Notice of Child Custody Proceeding for Indian Child</i> . 6. Petition does not list the names and addresses of the father, paternal grandparents and maternal grandparents. 7. #8 of the Child Information Attachment is blank re: Indian child inquiry. 8. Need Notice of Hearing 9. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: b. Tiburcio Ibarra (father) 10. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: c. Francisco Espino (maternal grandfather) <b>Please see additional page</b>	
		CELIA ESPINO, mother, is petitioner.			
		Father: TIBURCIO IBARRA			
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	X			
	Aff.Mail	X			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 9/30/13	
				Updates:	
				Recommendation:	
				File 22 - Ibarra	

11. Because the Petition indicates the child is an Indian child, the *Notice of Child Custody Proceeding for Indian Child* (Form ICWA-030), must be served, together with copies of petition and all attachments, including this form, on the child's parent; any Indian custodian; any Indian tribe that may have a connection to the child; the Bureau of Indian Affairs (BIA), and possibly the U.S. Secretary of the Interior, by certified or registered U.S. Mail, return receipt requested. (Please see Probate Code 1460.2, and CA Rules of Court 7.1015)
- a. Per item 5 above, Petitioners will need to return the completed copy of the *Notice of Child Custody Proceeding for Indian Child* to the probate clerk. The probate clerk will then mail the notice to the required agencies as required.
  - b. After mailing, per item 11 above, need proof of service of notice, including copies of the notices sent and all return receipts and responses received, pursuant to Probate Code 1460.2(d).